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PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2853**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takatoshi TSUCHIYA et al.

Group Art Unit: 2853

Application No.: 10/721,353

Examiner: L. MARTIN

Filed: November 26, 2003

Docket No.: 117059

For: SYSTEMS AND METHODS FOR VENT PATH LEAKAGE PREVENTION

SECOND REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the February 6, 2006 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Applicants acknowledge the withdrawal of the prior grounds of rejection based on 35 U.S.C. §102 in favor of new grounds based on 35 U.S.C. §103. Applicants also acknowledge the withdrawal of the December 23, 2005 Rejection in favor of the February 6, 2006 Office Action. In particular, all of claims 1-17 are now rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. US2004/0135855 to Carrese et al. in view of U.S. Patent No. 6,402,308 to Hattori et al. This rejection is respectfully traversed.

Independent claims 1 and 10 recite, *inter alia*, a first container (116), a second container (112) having a capillary medium (111), a passage (118) between the first and second containers communicating the fluid at a level where the passage is wetted with fluid, a